

ATXI has been unsuccessful in obtaining an easement from Richard and Yvonne Adwell. The Adwells own one parcel at issue, located along the Kansas to Sugar Creek segment of the Project in Edgar County, Illinois. This parcel is internally designated as A_ILRP_KS_ED_127_ROW. As summarized on ATXI Exhibit 2.1, ATXI has contacted, or attempted to contact, the Adwells or their counsel on at least 91 occasions, including 66 emails, 4 letters, 5 in-person meetings, 10 phone calls, and 6 voicemails.

ATXI had a difficult time engaging in negotiations with the Adwells. ATXI first attempted to contact the Adwells in the fall of 2013. In October of 2013, Ms. Adwell contacted the Contract Land Staff (CLS) corporate office to convey her denial of survey permission and to discuss the status of the underlying certificate case for the Project (Docket 12-0598), specifically the routing of the line within Edgar County. A local CLS representative called her back to discuss those topics and to provide her with information about where she could learn more about the certificate status. After several additional attempts to contact the Adwells in October and November of 2013, the land agent attempted to visit them at their residence. The land agent abandoned that effort after observing both “No Trespassing” and “Stop the Power Line” signs in their front yard. ATXI mailed the Adwells’ initial offer packet to them shortly thereafter. At the end of November 2013 the land agent received a call from Mr. Adwell acknowledging that they had received the offer packet and requesting that ATXI cease all future attempts to contact him or his wife for any reason, under threat of legal action. Mr. Adwell reaffirmed this position in January of 2014 (though he later clarified that he did want to be notified of survey-related activities). ATXI has engaged in no substantive negotiations with the Adwells and has been notified that they will be represented in negotiations by Mr. Smith.

On August 12, 2015, ATXI received a letter of representation from Mr. Craig Smith. Please see Section VI of my direct testimony (ATXI Exhibit 2.0) for a discussion of the negotiations with landowners represented by Mr. Smith. As discussed there, negotiations have not progressed since Mr. Smith was hired, and despite his commitment to provide ATXI with documentation supportive of additional compensation and easement language changes, Mr. Smith has yet to provide any documentation, counteroffer or easement language edits.

In sum, ATXI is uncertain what issues the Adwells may have with the easement agreement or with ATXI's offer of compensation. Negotiations are at a standstill and a voluntary agreement in a timeframe supportive of this line segment's in-service date is unlikely. ATXI therefore requests eminent domain authority over this parcel.

Agent Checklist with Landowner

1. Landowner contacted to set up initial appointment no sooner than 14 days after the 14 day letter was sent ☒

2. Initial appointment set for 11/22/2013 ☐

3. Activity Note entered regarding Initial Meeting, including specifics regarding landowner concerns, if any, and details of meeting ☐

4. Prepare and review Acquisition documents and maps ☒

5. Provide landowner with business card and show Ameren ID badge ☒

6. Ask the landowner they received the 14 day letter: ☐

a. Ask if the landowner read 14 days letter

b. Does landowner have any questions regarding letter:

7. Provide/explain the purpose of the project ☐

8. Discuss routing and how it affects landowner: ☐

a. Provide Fact Sheet about the project

b. Provide landowner copies of:

i. Small scale map of the project

ii. Sketch and description of type of facilities/structures

iii. Approximate location of facilities

iv. Option for Easement including exhibit showing length and width of the easement area

v. Memorandum of Option Exhibit B

9. Make compensation offer, provide calculation sheet and explain basis of offer ☒

10. Discuss subordination of mortgage, if applicable ☐

11. Complete Construction Questionnaire, including name of tenant, if applicable ☐

12. Provide EMF brochure, if requested ☒

13. Enter initial offers and counter-offers if any, into CLS Viewer. Contact tenant, as appropriate; complete tenant consent form if applicable ☒

14. Agent Name (Print and Sign) CRIBEL CRIBEL ☒

EXHIBIT "A"

A 1.595 ACRE TRACT OF LAND SITUATED IN THE NORTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 16, TOWNSHIP 12 NORTH, RANGE 11 WEST OF THE 2ND PRINCIPAL MERIDIAN, EDGAR COUNTY, ILLINOIS AND BEING PART OF A TRACT OF LAND DESCRIBED IN DEED TO RICHARD C. ADWELL AND YVONNE C. ADWELL, HUSBAND AND WIFE, RECORDED IN DOCUMENT NO. 99-0004098, AS CORRECTED BY DOCUMENT NO. 00-0000608 OF THE DEED RECORDS OF EDGAR COUNTY, ILLINOIS (D.R.E.C.I.) AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTH LINE OF SAID NORTH 1/2 AT A COMMON CORNER OF SAID ADWELL TRACT AND A TRACT OF LAND DESCRIBED AS TRACT III IN DEED TO NORMAN P. YELEY, NANCY J. LANCASTER, NAOMI JOAN STRAW, ELLA L. BENNETT, HAZEL E. SHOAF, AND BETSY L. SEIDEL, RECORDED IN DOCUMENT NO. 200900001131 AND DOCUMENT NO. 200900002084, D.R.E.C.I., FROM WHICH A 5/8-INCH IRON ROD WITH A RED CAP STAMPED "PLS 2845 KNIGHT & ASSOCIATES" FOUND AT THE NORTHEAST CORNER OF SAID NORTHWEST 1/4 BEARS SOUTH 89 DEGREES 48 MINUTES 10 SECONDS EAST, A DISTANCE OF 804.22 FEET, SAID POINT OF BEGINNING HAVING GRID COORDINATES OF N:1029360.20, E:1179546.01;

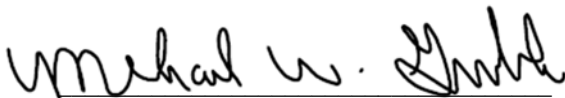
THENCE SOUTH 00 DEGREES 26 MINUTES 03 SECONDS EAST, ALONG THE COMMON LINE OF SAID ADWELL TRACT AND SAID YELEY TRACT, A DISTANCE OF 75.00 FEET TO A POINT FOR CORNER;

THENCE NORTH 89 DEGREES 48 MINUTES 10 SECONDS WEST, LEAVING SAID COMMON LINE, A DISTANCE OF 852.35 FEET TO A POINT FOR CORNER.;

THENCE NORTH 63 DEGREES 06 MINUTES 55 SECONDS WEST, A DISTANCE OF 166.99 FEET TO A POINT FOR CORNER IN SAID NORTH LINE, FROM WHICH A 5/8-INCH IRON ROD FOUND AT THE NORTHWEST CORNER OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 12 NORTH, RANGE 11 WEST OF THE 2ND PRINCIPAL MERIDIAN BEARS NORTH 39 DEGREES 52 MINUTES 27 SECONDS WEST, A DISTANCE OF 3,414.60 FEET;

THENCE SOUTH 89 DEGREES 48 MINUTES 10 SECONDS EAST, ALONG SAID NORTH LINE, A DISTANCE OF 1,000.73 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 69,491 SQUARE FEET OR 1.595 ACRES OF LAND, MORE OR LESS.

BEARING BASIS: ALL BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON THE ILLINOIS STATE PLANE COORDINATE SYSTEM, NAD 83(2011), EAST ZONE. ALL DISTANCES SHOWN HEREON ARE SURFACE DISTANCES.



MICHAEL W. GERBERICK
PROFESSIONAL LAND SURVEYOR
REGISTRATION NO. 035-002683
STATE OF ILLINOIS PROFESSIONAL
DESIGN FIRM LICENSE NO. 184.006475

DATE: 07/28/2015



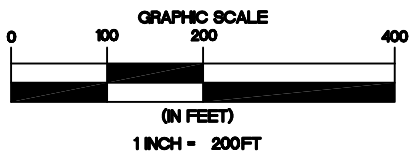


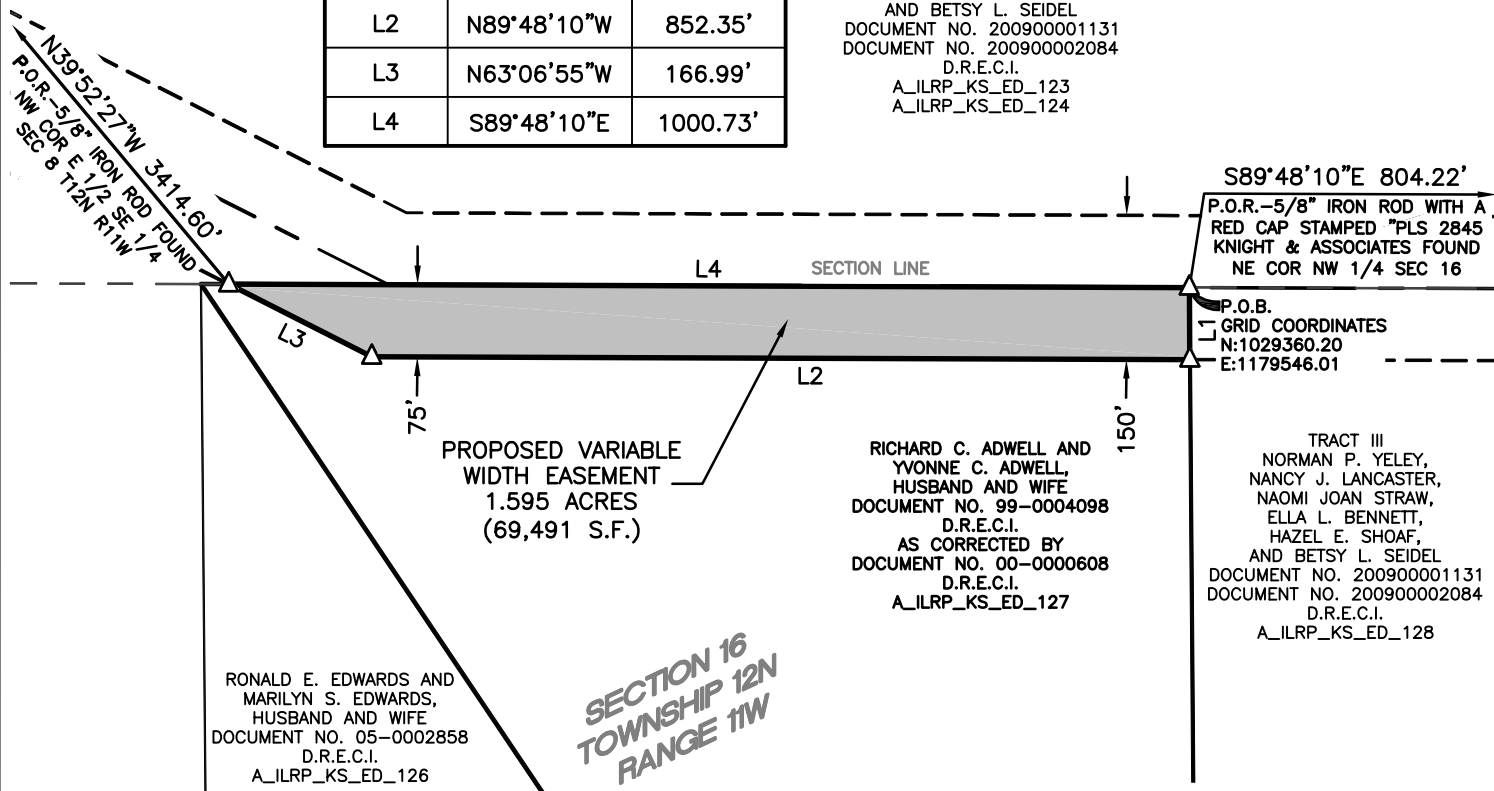
EXHIBIT "A"

ATXI Exhibit 2.3 Part X
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LINE TABLE		
NUMBER	BEARING	DISTANCE
L1	S00°26'03"E	75.00'
L2	N89°48'10"W	852.35'
L3	N63°06'55"W	166.99'
L4	S89°48'10"E	1000.73'

TRACT III
NORMAN P. YELEY,
NANCY J. LANCASTER,
NAOMI JOAN STRAW,
ELLA L. BENNETT,
HAZEL E. SHOAF,
AND BETSY L. SEIDEL
DOCUMENT NO. 200900001131
DOCUMENT NO. 200900002084
D.R.E.C.I.
A_ILRP_KS_ED_123
A_ILRP_KS_ED_124



LEGEND

D.R.E.C.I.

DEED RECORDS
EDGAR COUNTY, ILLINOIS

P.O.B.

POINT OF BEGINNING

P.O.R.

POINT OF REFERENCE



CALCULATED POINT

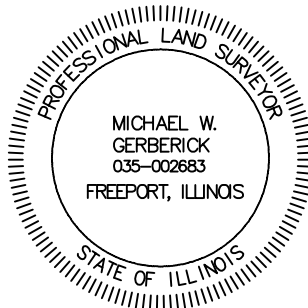
SECTION LINE

SUBJECT PROPERTY LINE

PROPERTY LINE

PROPOSED EASEMENT CENTERLINE

PROPOSED EASEMENT



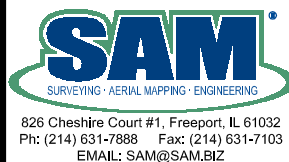
MICHAEL W. GERBERICK
PROFESSIONAL LAND SURVEYOR
NO. 035-002683 - STATE OF ILLINOIS
PROFESSIONAL DESIGN FIRM
LICENSE NO. 184.006475 - STATE OF ILLINOIS

NOTES:

1. THIS EXHIBIT DOES NOT REFLECT ANY UNDERGROUND UTILITIES, EASEMENT OF RECORD OR OTHER ENCUMBRANCES THAT MAY AFFECT THE SUBJECT TRACT.
2. REFERENCE IS MADE TO THE DESCRIPTION OF EVEN DATE ACCOMPANYING THIS SKETCH.

SHEET 02 OF 02

PROJECT: ILLINOIS RIVERS
JOB NUMBER: 32359
DATE: 07/28/2015
SCALE: 1"=200'
TRACT ID: A_ILRP_KS_ED_127
DRAWN BY: JDM

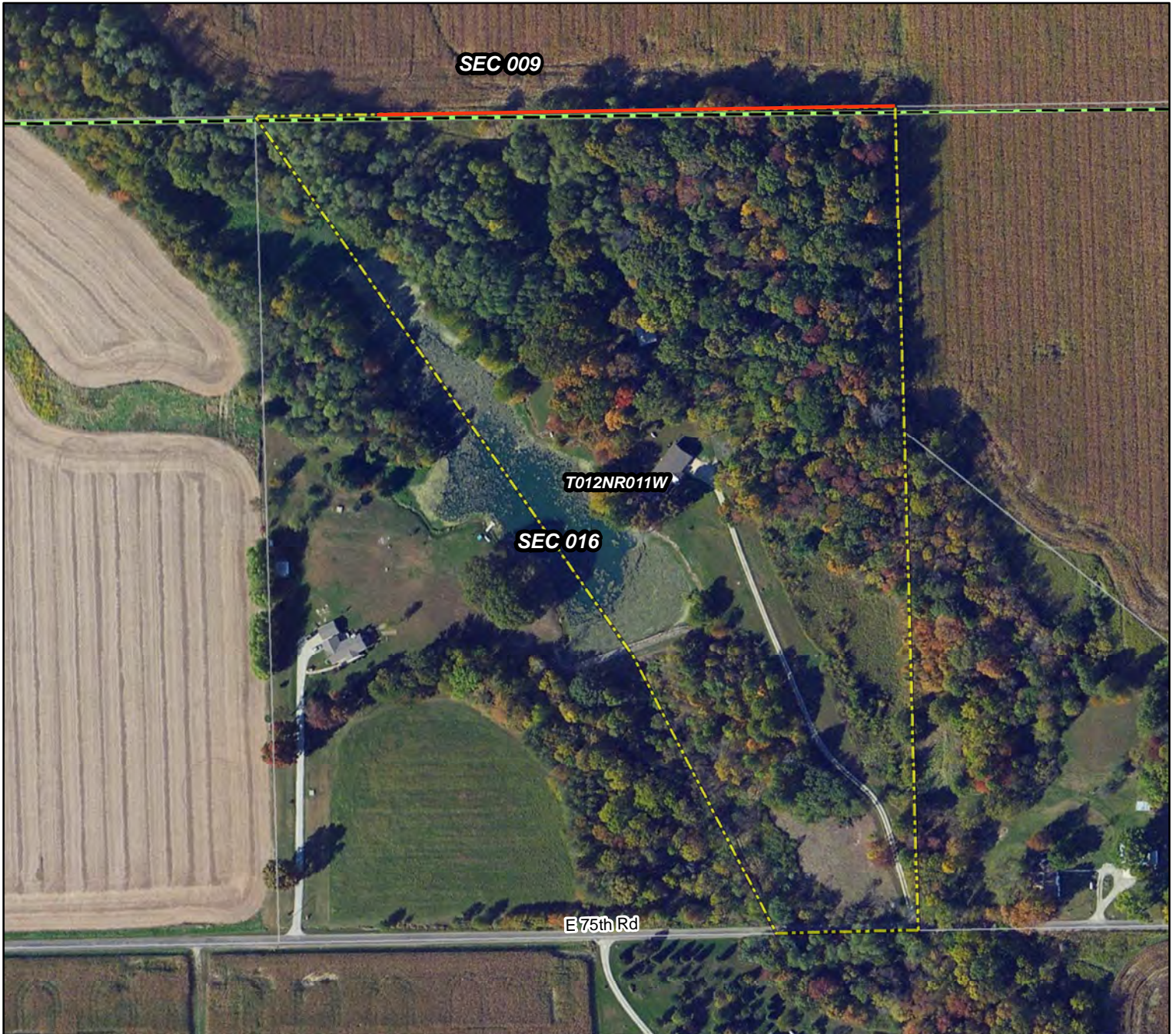


150' TRANSMISSION
LINE EASEMENT
SUGAR CREEK TO KANSAS
SECTION 16, TOWNSHIP 12 NORTH, RANGE 11 WEST
OF THE 2ND PRINCIPAL MERIDIAN
EDGAR COUNTY, ILLINOIS

Edgar County, IL

ATXI Exhibit 2.3 Part X
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Tax Id: 04-24-16-100-008



Ameren - Illinois Rivers



Contract Land Staff, LLC
2245 Texas Drive, Suite 200
Sugar Land, TX 77479

For discussion purposes only. All measurements and distances are approximations and pend final survey and engineering.



-  Routes
-  Tracts
-  Adjacent Tracts
-  Section Boundary

0 80 160 320 480
Feet

Richard C. Adwell

Tract No.:A_ILRP_KS_ED_127

Date: 11/17/2015